

**§ 3555.6 Rejection of bid.**

(a) If the high bid is rejected for failure of the successful bidder to sign the lease form and pay the balance of the bonus bid, or otherwise comply with the regulations of this subpart, the one-fifth bonus accompanying the bid shall be forfeited to the United States.

(b) If the lease cannot be awarded for reasons determined by the authorized officer to be beyond the control of the successful bidder, the authorized officer shall reject the bid and the deposit submitted with the bid shall be returned.

**Subpart 3556—Noncompetitive Leasing: Fringe Acreage Leases and Lease Modifications**

**§ 3556.1 Lands subject to lease.**

Lands available for leasing which are known to contain a “Gilsonite” deposit that extends from an adjoining Federal lease or from privately held lands may be leased noncompetitively either by an issuance of a new lease for these lands or by adding such lands to an existing Federal lease.

**§ 3556.2 Special requirements.**

Before a fringe acreage lease may be issued or a lease modified under this subpart, the authorized officer shall determine the following:

(a) The lands are contiguous to an existing Federal lease or to non-federal lands owned or controlled by the applicant;

(b)(1) The new lease for the fringe acreage is not in excess of 5120 acres; or

(2) The acreage of the modified lease, including additional lands, is not in excess of 5120 acres;

(c) The mineral deposit is not in an area of competitive interest to holders of other active mining units in the area;

(d) The lands applied for lack sufficient reserves of the mineral resource to warrant independent development; and

(e) Leasing the lands will result in conservation of natural resources and will provide for economical and efficient recovery as part of a mining unit.

**§ 3556.3 Filing requirements.**

(a) An application shall be filed in triplicate with the proper BLM office. No specific application form is required.

(b) The application shall be accompanied by a nonrefundable filing fee of \$25, and an advance rental payment of 25 cents per acre or fraction thereof for a new lease or at the rental rate set forth in the base lease for a modification made payable to the Department of the Interior—Bureau of Land Management. The rental payment shall not be less than \$20.

(c) The application shall:

(1) Make reference to the serial number of the lease if the lands adjoin an existing Federal lease;

(2) Contain a complete and accurate description of the lands desired;

(3) Include a showing that a “Gilsonite” deposit extends from the applicant’s adjoining lease or from private lands owned or controlled by the applicant; and

(4) Include proof of ownership or control of the mineral deposit in the adjoining lands if not under a Federal lease.

**§ 3556.4 Surface management agency.**

The surface management agency, if other than the Bureau, shall be consulted in accordance with § 3500.9 and part 3580 of this title, as applicable.

**§ 3556.5 Payment of bonus.**

Prior to the issuance of a new lease or a modification of an existing lease, the applicant shall be required to pay a bonus in an amount determined by the authorized officer based on an appraisal. In no event, shall such payment be less than \$1 per acre or fraction thereof.

**§ 3556.6 Terms and conditions of lease.**

New leases shall be issued subject to the terms and conditions set out under subpart 3551 of this title. The terms and conditions of modified leases shall be the same as in the existing leases.

**PART 3560—HARDROCK MINERALS****Subpart 3560—Hardrock Minerals Leasing: General**

## Sec.

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  - 3560.2-1 General leasing regulations.
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- 3563.1 Application for preference right lease.
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- 3563.2 Review of application.
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  - 3563.2-2 Surface management agency.
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- 3564.2 Surface management agency.
- 3564.3 Sale procedures.
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  - 3564.3-2 Contents of notice.
  - 3564.3-3 Detailed statement.
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**Subpart 3565—Noncompetitive Leasing: Fringe Acreage Leases and Lease Modifications**

- 3565.1 Lands subject to lease.
- 3565.2 Special requirements.
- 3565.3 Filing requirements.
- 3565.4 Surface management agency.
- 3565.5 Payment of bonus.
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- 3566.1 Applications.
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- 3567.1 Development contracts and processing and milling arrangements.
- 3567.2 Acreage chargeability.
- 3567.3 Applications.
- 3567.4 Approval.

**AUTHORITY:** The Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*); Reorganization Plan No. 3 of 1946 (5 U.S.C. Appendix); sec. 3, Act of Sept. 1, 1949 (30 U.S.C. 192c); the Act of June 30, 1950 (16 U.S.C. 508(b)); the Act of March 3, 1933, as amended (47 Stat. 1487); sec. 10, Act of Aug. 4, 1939 (43 U.S.C. 387); the Act of Oct. 8, 1964 (16 U.S.C. 460n *et seq.*); the Act of Nov. 8, 1965 (16 U.S.C. 460q *et seq.*); the Act of Oct. 2, 1968 (16 U.S.C. 90c *et seq.*); the Act of Oct. 27, 1972 (16 U.S.C. 460dd *et seq.*); the Alaska National Interest Lands Conservation Act (16 U.S.C. 460mm-2—460mm-4); the Independent Offices Appropriations Act (31 U.S.C. 9701).

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